

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 09-193 (MJD/AJB)

(1) RUSSELL ADAM COLE and
(2) ABBY RAE COLE,

Defendants.

Based on the parties' submissions and upon review of the files, record and proceedings herein, **IT IS HEREBY ORDERED:**

Defendants' Joint Motion under Rule 29(a) of the Federal Rules of Criminal Procedure for Acquittal of Counts 1-21 [Docket No. 195], brought before the Government has rested its case, is **DENIED** as premature.

Dated: May 17, 2010

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court